

## MINUTES

### DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

February 2, 2010

Conference Room 520, 1 Mendota Road, West St. Paul, Minnesota

#### 1. CALL TO ORDER AND ROLL CALL

Commissioner Thomas A. Egan, Chair of the Dakota County Board of Commissioners, called the meeting to order at 9:00 a.m. Commissioners in attendance:

Commissioner Joseph A. Harris, District 1  
Commissioner Kathleen Gaylord, District 2  
Commissioner Thomas Egan, District 3  
Commissioner Nancy Schouweiler, District 4  
Commissioner Liz Workman, District 5  
Commissioner Willis E. Branning, District 7

Also in attendance were:

Brandt Richardson, County Administrator  
Lynn Thompson, Division Director  
Jay Stassen, Assistant County Attorney  
Kelly Olson, Senior Administrative Coordinator

#### 2. INTRODUCTION OF NEW STAFF

There was no new staff to introduce.

#### 3. AUDIENCE

Chair Egan asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

#### 4. APPROVAL OF THE AGENDA

**Motion by Commissioner Harris, Second by Commissioner Schouweiler**, and passed on a 6-0 (absent Krause) vote to approve the agenda for February 2, 2010, as presented.

#### 5. CONSENT/INFORMATION AGENDA

**Motion by Commissioner Workman, Second by Commissioner Schouweiler**, and passed on a 6-0 (absent Krause) vote to approve the consent agenda.

##### 5.1 – Minutes Of The January 12, 2010 Meeting

Information item; no action requested.

##### 5.2 – Authorization To Execute Joint Powers Agreements With Black Dog, Gun Club Lake, Lower Mississippi River, And North Cannon River Watershed Management Organizations For Funding Water Plan Activities

WHEREAS, commencing in 1994, Dakota County made funding available to Water Management Organizations (WMOs) in Dakota County to assist with water management plans, through special levy; and

WHEREAS, over the years both the funding source and eligible WMOs have changed; and

WHEREAS, in 2010 Dakota County allocated \$65,000 for the purpose of providing funding support for water plan activities for those WMOs that do not have the ability to directly levy for funding; and

WHEREAS; based on a formula combining land area and tax capacity within the watershed the distribution of the funding is recommended as follows: Black Dog WMO: \$12,600, Gun Club Lake WMO: \$15,100, Lower Mississippi River WMO: \$16,900, North Cannon River WMO: \$20,400; and

WHEREAS, funding is recommended to be applied within the individual WMOs for the following authorized purposes:

- Construction costs for priority capital improvement projects in the WMO's Watershed Plan.
- Feasibility and design costs for the construction of any priority capital improvement in the WMO's Watershed Plan.
- Design and construction costs for best management practices (BMPs) within the Watershed. This is limited to 50% of the outstanding cost of the design and construction of any BMP. "Outstanding cost" means the costs remaining after any other available funding has been applied to the total design and construction costs of a BMP.
- To develop or enhance water quality monitoring in accordance with the objectives in the WMO's Watershed Plan.
- To use as matching dollars for any grant received from a federal or state agency related to any of the authorized purposes listed above; and

WHEREAS, all four WMOs have expressed interest in receiving the funds and will adhere to the funding recommendations listed above; and

WHEREAS, to accomplish this, staff requests authorization to execute individual joint power agreements with each of the WMOs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Black Dog Watershed Management Organization, as presented to the Physical Development Committee of the Whole on February 2, 2010, in an amount not to exceed \$12,600, subject to the approval of the Dakota County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Gun Club Lake Watershed Management Organization, as presented to the Physical Development Committee of the Whole on February 2, 2010, in an amount not to exceed \$15,100, subject to the approval of the Dakota County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Lower Mississippi River Watershed Management Organization, as presented to the Physical Development Committee of the Whole on February 2, 2010, in an amount not to exceed \$16,900, subject to the approval of the Dakota County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the North Cannon River Watershed Management Organization, as presented to the Physical Development Committee of the Whole on February 2, 2010, in an amount not to exceed \$20,400, subject to the approval of the Dakota County Attorney's Office as to form.

**5.3 – Plat Commission Update** – This was an information item; no action was requested.

## **6. REGULAR AGENDA**

### **6.1 – Approval Of Lebanon Hills Regional Park Phase Two Project Preferred Development Concept And Authorization To Advance To Design Development**

Parks Development Manager Bruce Blair introduced this item and introduced Bruce Jacobson, CLOSE landscape architecture, who presented the design concept and responded to questions from the Committee regarding runoff

from the parking lot area, access to the park from Cliff Road, a proposed area known as the Oval. Staff responded to questions regarding funding and financial participation by the City of Eagan.

**Motion by Commissioner Schouweiler, seconded by Commissioner Branning**, and passed on 6-0 (absent Krause) vote to recommend that the County Board adopt the following resolution:

WHEREAS, by Resolution No. 01-361 (May 15, 2001), the Dakota County Board of Commissioners adopted the Lebanon Hills Regional Park Master Plan (master plan); and

WHEREAS, the master plan provides direction for the development of Lebanon Hills Regional Park; and

WHEREAS, Phase I of the master plan implementation included construction of the Lebanon Hills Visitor Center; and

WHEREAS, the master plan provides direction on additional development near the Lebanon Hills Visitor Center to improve the recreational experience and safety, responsibly manage storm water, and improve natural resource quality; and

WHEREAS, the Lebanon Hills Regional Park Visitor Center Phase II Project (Phase II) includes improvements recommended in the master plan, including redevelopment of the existing and overflow parking lots, trail development including a portion of the connector trail, shade structures, interpretive elements, improved picnicking opportunity, and other closely related development; and

WHEREAS, by Resolution No. 09-289 (June 16, 2009), the County Board authorized a contract with Close Landscape Architecture for the provision of required design and engineering services to accomplish Phase II; and

WHEREAS, staff and Close Landscape Architecture developed Phase II goals and work program derived from the master plan and presented site organization and design alternatives for public comment on November 24, 2009; and

WHEREAS, the Dakota County Park and Recreation Advisory Committee (PARAC) reviewed the site organization and design alternatives and public comments on December 2, 2009; and

WHEREAS, the PARAC provided comments to inform development of a preferred development concept; and

WHEREAS, staff and Close Landscape Architecture presented a preferred development concept for public review and comment on January 4, 2010, that creatively and sensitively meets all master plan program requirements; and

WHEREAS, the PARAC reviewed the preferred development concept and public comments on January 6, 2010, and provided additional comment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the Lebanon Hills Regional Park Visitor Center Phase II project preferred development concept as substantially presented to the Physical Development Committee of the Whole on February 2, 2010, and authorizes the project to advance to design development and preparation of construction documents.

## **6.2 – Establish Name For Regional Park In Empire Township**

Park and Recreation Director Steve Sullivan presented this item and outlined two options for establishing the park name: name park by resolution or delay action and establish the park name during development of the park master plan. The Committee discussed the various names presented by staff, the Parks and Recreation Advisory Committee, and Empire Township.

**Motion by Commissioner Harris, seconded by Commissioner Schouweiler** and passed on 6-0 (absent Krause) vote to recommend that the County Board adopt the following resolution:

WHEREAS, on December 23, 2003, the County Board directed staff to pursue an Empire Wetlands regional park and natural area partnership through the development of a master plan; and

WHEREAS, on November 16, 2004, the County Board adopted the Empire Wetlands Acquisition Master Plan; and

WHEREAS, the Empire Wetlands Regional Park name was used to coincide with the search area description; and

WHEREAS, the approved acquisition master plan focused on the park boundary without any further evaluation of park name options; and

WHEREAS, the new regional park is located adjacent to the Vermillion River Aquatic and Wildlife Management Area and Vermillion Highlands Modified Wildlife Management Area; and

WHEREAS, the County Board is authorized to establish and name County parks pursuant to Minn. Stat. § 389.32; and

WHEREAS, park names in Minnesota traditionally have been drawn from categories such as natural features or geology, culture or history, individual or community group, or geography; and

WHEREAS, Dakota County park names generally have been based on site-related geographic features; and

WHEREAS, staff initially developed and evaluated two dozen potential names; and

WHEREAS, staff used a series of criteria to further narrow the choices, including whether the names are culturally appropriate, attractive, memorable, meaningful, unique, fit the brand and are not distracting or confusing; and

WHEREAS, on January 6, 2010, the Dakota County Parks and Recreation Advisory Committee evaluated park names and recommended three name preferences including Dakota Vista Regional Park, Vermillion Highlands Regional Park and Vermillion Ridge Regional Park; and

WHEREAS, in a letter dated January 26, 2010, the Empire Township Board requested County Board consideration of three name options including Empire Lake Regional Park, Lake in Empire Regional Park and Empire Ridge Regional Park; and

WHEREAS, staff evaluated PARAC and Empire Township's suggestions, and other name options and recommends either Vermillion Ridge Regional Park or Lake of the Hills Regional Park.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to establish park name options for future County Board consideration with the preparation of the park development master plan scheduled for 2010.

### **6.3 – Development Of 2010-2014 Consolidated Plan For Community Development Block Grant And Home Investment Partnership Programs**

Community Development Agency Executive Director Mark Ulfers and Director of Community Revitalization Dan Rogness presented this item and responded to questions from the Committee regarding HUD requirements for use of county-wide funds and requirements to make changes to allocations during the plan years of 2010-2014.

**Motion by Commissioner Gaylord, seconded by Commissioner Branning**, and passed on 6-0 (absent Krause) vote to recommend that the County Board adopt the following resolution:

WHEREAS, Dakota County receives annual grants for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs in amounts determined by Congress to be used toward housing and community development activities; and

WHEREAS, Dakota County guides the use of said funds through a Five-Year Consolidated Plan and subsequent Annual Action Plans; and

WHEREAS, the Consolidated Plan establishes Dakota County's priorities and funding distribution process for CDBG and HOME funds within a Housing and Urban Development (HUD) Agency -prescribed framework; and

WHEREAS, on May 3, 2005 (Resolution No. 09-199), the Dakota County Board adopted the 2005-2009 Consolidated Plan; and

WHEREAS, the 2005-2009 Consolidated Plan ends on June 30, 2010; and

WHEREAS, a 2010-2014 Consolidated Plan must be submitted to HUD by May 15, 2010; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the CDBG and HOME programs on behalf of Dakota County; and

WHEREAS, CDA staff is developing a 2010-2014 Consolidated Plan for County Board consideration following a public hearing to be scheduled in early May 2010.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby directs CDA staff to include the recommended priorities, funding allocation formula and funding distribution process, as presented on February 2, 2010, in the draft 2010-2014 Consolidated Plan for further review during the public hearing process; and

BE IT FURTHER RESOLVED, That staff are hereby directed to develop options for the use of countywide CDBG funding in 2010 for review during the public hearing process and consideration by the County Board prior to adoption of the 2010 Action Plan.

#### **6.4 – Update On Old Cedar Bridge**

Planning Supervisor Kurt Chatfield presented this item and responded to questions from the Committee regarding replacement of the bridge versus restoration and the potential impact on availability of funding sources. Information item; no action requested.

### **LEGISLATIVE UPDATE**

Commissioner Harris provided the legislative update. The update included a report on three items recommended by the Metropolitan Energy Policy Coalition.

**Motion by Commissioner Harris, seconded by Commissioner Gaylord**, and passed on 6-0 (absent Krause) vote to recommend that the County Board adopt the following resolution:

#### **Support of Legislative Initiatives Proposed by the Metropolitan Energy Policy Coalition**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chair of the County Board to sign a letter to the legislative delegation in support of legislative initiatives proposed by the Metropolitan Energy Policy Coalition as presented at the Physical Development Committee of the Whole on February 2, 2010.

### **DIRECTOR'S REPORT**

Lynn Thompson provided her update to the Physical Development Committee. She briefed them on a recent article on the Metropolitan Council website regarding the Vermillion River Corridor planning; a request received to prepare for submission of transportation rehabilitation projects for potential funding; and noted the Metropolitan Council has released the 2030 Park and Ride Plan. Commissioner Branning noted that he was elected as the Chair of the Minnesota Valley Transit Authority.

### **ADJOURNMENT**

On a motion by Commissioner Gaylord, seconded by Commissioner Harris, the meeting was adjourned at 11:07 a.m.

Respectfully submitted:

Kelly Olson  
Senior. Administrative Coordinator